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Lynne Finley  
District Clerk  
Collin County, Texas  
By Brittany Jagger Deputy  
Envelope ID: 67898367

Cause No. \_\_\_\_\_

KINGDOM GROUP INVESTMENTS	§	IN THE DISTRICT COURT
Plaintiff	§	
	§	
Vs.	§	JUDICIAL DISTRICT
	§	
LAKEVIEW LOAN SERVICING, LLC	§	
Defendant	§	COLLIN COUNTY, TEXAS

### PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now KINGDOM GROUP INVESTMENTS, and suing for cause of action alleges as follows:

#### I

#### RULE 47 STATEMENT

This suit does not seek monetary relief.

#### II

#### DISCOVERY LEVEL.

Plaintiff intends to conduct discovery under Level 2, Tex.R.Civ.Pro. Rule 190.

#### III

#### PARTIES

Plaintiff is KINGDOM GROUP INVESTMENTS, A Texas Corporation.

Defendant is LAKEVIEW LOAN SERVICING, LLC. Defendant is a foreign limited liability company, and may be served with process on its registered agent for service of process; to wit:

Corporation Service Company d/b/a/ CSC-Lawyers Incorporating Service Company  
211 E. 7<sup>th</sup> St. Suite 620  
Austin, Tx., 78701-3136

#### IV

#### VENUE

Venue is proper in this Court because this suit affects real property located in this County.

#### V

#### CONDITIONS PRECEDENT

Plaintiff pleads, pursuant to Rule 54, Tex.R.Civ.Pro., that all conditions precedent to its right to recover have transpired.

#### VI

#### FACTS

1. Plaintiff is the owner of that certain condominium 3010 Elderberry Drive, Wylie, Texas, and more particularly described as Lot 21, Block D of Sage Creek North, an Addition to the City of Wylie, Collin County, Texas, according to the Map thereof recorded in Volume O, Page 56, Map Records of Collin County, Texas.
2. Plaintiff acquired the property from Legacy Group Brokerage, Inc., on or about August 16, 2022.
3. Plaintiff's predecessor acquired the property on or about September 7, 2021 at an assessment lien sale conducted by the Wylie Sage Creek Residential Association, Inc., whose Declaration is found at Volume 04603, Page 00833, Condominium/Deed Records of Dallas County, Texas.
4. Plaintiff's deed is recorded as Instrument No. 2022000125716.
5. Appearing higher in the chain of title is Joseph T. Lopez, who acquired the property on or about July 13, 2018, recording his deed as Instrument #2 0180713000872520.

6. Lopez then made a deed of trust in favor of Pacific Union Financial, LLC, recording same as Instrument No. 20180713000872530.
7. The deed of trust was then assigned to Defendant on or about March 18, 2020, recording same as Instrument No. 2020003180000390470.
8. Defendant appears of record to be the last entity holding the deed of trust.
9. As the current owner of the property, Plaintiff owns the right of equitable redemption.
10. Plaintiff has been unable to ascertain from Defendant any information relative to any amounts currently due and owing under the Note that is secured by the deed of trust.
11. Pleading further, Plaintiff has been unable to verify that Defendant is the current owner of the deed of trust; or, whether the mortgage Note has been paid in full.

#### CAUSE OF ACTION TO QUIET TITLE

1. Plaintiff refers to and incorporates by this reference each allegation above.
2. Plaintiff prays that Defendant be required to demonstrate its ownership fo the deed of trust and Note secured thereby.
3. Plaintiff prays that if Defendant is unable or unwilling to provide such information, that the Court find and decree that Plaintiff owns the property free of the deed of trust.
4. In the alternative, if Defendant is able to demonstrate its continued ownership of the Note and deed of trust, that it be required to provide to Plaintiff sufficient information to enable it to discharge any indebtedness.

#### APPLICATION FOR INJUNCTIVE RELIEF

1. Plaintiff refers to and incorporates by this reference each allegation above.
2. Plaintiff has just now learned that Defendant has posted the property fore foreclosure on September 6, 2022.
3. If the foreclosure is allowed to proceed, Plaintiff will suffer irreparable harm.
4. Plaintiff prays that the Court immediately enjoin Defendant from proceeding with

foreclosure, and taking any step to foreclose.

5. Plaintiff further prays that such TRO be extended as a Temporary Injunction, upon Notice and Hearing.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that the Court issue the Temporary Restraining Order enjoining the sale of the property, issue a Temporary Injunction upon notice and hearing, and that Defendant be cited to answer and appear herein, and that upon final trial the Court Decree that Plaintiff owns the property the free of the deed of trust, or in the alternative, that Defendant must give Plaintiff the opportunity to pay off or service any senior lien held by it., for costs of court, and for such further relief as the Court deems just.

Respectfully submitted,

/s/ Kenneth S. Harter  
Kenneth S. Harter  
State Bar ID: 09155300

Law Offices of Kenneth S. Harter  
5080 Spectrum Dr. Suite 1000-E  
Addison, Tx. 75001  
(972) 752-1928  
Fax (214) 206-1491  
ken@kenharter.com  
Attorneys for Kingdom Group Investments

VERIFICATION

State of Texas  
County of Dallas

BEFORE ME, the undersigned authority appeared Ahmed Elgalad, who, upon being duly sworn, said upon his oath:

"My name is AHMED ELGALAD. I am above the age of 18. All facts stated herein are within my personal knowledge and are true and correct

I am the president of Plaintiff, and authorized to make this Affidavit. I have read the foregoing and the facts stated therein are true and correct to the best of my knowledge.

  
Ahmed Elgalad

Sworn to on this the 1<sup>st</sup> day of September, 2022.



  
Notary Public